

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

FILED

APR - 9 2010

CLERK, U.S. DISTRICT COURT
NORFOLK, VA

LITORIA D. BLOW,

Claimant,

v.

Civil Action No. 2:09cv220

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration,

Defendant.

MEMORANDUM ORDER

Pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B), Rule 72 of the Federal Rules of Civil Procedure, and Local Civil Rule 72 of the Local Rules of this court, this court referred this matter to now-retired United States Magistrate Judge James E. Bradberry by Order dated July 27, 2009. By Order dated July 28, 2009, Magistrate Judge Bradberry set a briefing schedule for cross-motions for summary judgment by the parties, which the parties followed. On March 17, 2010, United States Magistrate Judge Douglas E. Miller, Judge Bradberry's duly appointed successor, filed a Report and Recommendations ("R&R") with respect to the parties' cross-motions for summary judgment, recommending that this court affirm the final decision of defendant Michael J. Astrue, Commissioner of the Social Security Administration, denying claimant Litoria D. Blow's claim for a period of disability and supplemental security income ("SSI") under Title XVI of the Social Security Act.

By copy of the R&R, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days from the

date the R&R was mailed. This court has received no written objections or other response to the R&R from either party, and the time for filing objections has expired.

When reviewing a magistrate judge's report and recommendation, a district court must make a *de novo* determination of those portions of the R&R to which objections, if any, are made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(C). The district court is authorized to accept, reject or modify, in whole or in part, the findings and recommendations made by the magistrate judge. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(C).

In the absence of any objections to the R&R from either party, the findings of fact and conclusions of law contained therein are hereby **ADOPTED** in their entirety, claimant's motion for summary judgment is **DENIED**, defendant's motion for summary judgment is **GRANTED**, defendant's final decision denying claimant's claim for a period of disability and SSI is hereby **AFFIRMED**, and this matter is **DISMISSED**. The Clerk is **DIRECTED** to enter judgment in favor of defendant.

The Clerk is also **REQUESTED** to mail copies of this Memorandum Order to counsel of record for the parties.

IT IS SO ORDERED.



/s/ 
Jerome B. Friedman
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
April 9, 2010